

United States District Court  
Northern District of California

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

AMERICAN GENERAL LIFE  
INSURANCE COMPANY,

Plaintiff,

v.

BRITTA RADULOVIC, et al.,

Defendants.

Case No. 16-CV-02258-LHK

**ORDER GRANTING MOTION FOR  
DEFAULT JUDGMENT AND  
ADOPTING REPORT AND  
RECOMMENDATION**

Re: Dkt. Nos. 25, 29

Plaintiff American General Life Insurance Company (“Plaintiff”) brings this statutory interpleader action against Britta Radulovic (“Radulovic”) and William Simon (“Simon”), in Simon’s capacity as Trustee of the Brita Van Horn Trust. Simon was served on June 16, 2016, but did not file a responsive pleading or motion. ECF No. 17. Accordingly, Plaintiff moved for entry of default against Simon on July 19, 2016, ECF No. 19, and the Clerk’s Office entered default against Simon on July 26, 2016, ECF No. 23.

On July 26, 2016, Plaintiff moved for entry of default judgment against Simon. ECF No. 25 (“Mot.”). Radulovic, the other Defendant in this case, filed a statement of non-opposition. ECF No. 26. On August 24, 2016, U.S. Magistrate Judge Howard Lloyd issued a Report and

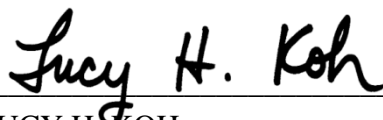
1 Recommendation that Plaintiff's motion for default judgment against Simon be granted. ECF No.  
2 29. Judge Lloyd also recommended that Simon, as Trustee of the Brita Van Horn Trust, be  
3 "permanently enjoined from instituting or prosecuting any proceeding in any State, or United  
4 States, Court against [Plaintiff] with respect to life insurance policy number 2030250L." *Id.* at 6.

5 No objections have been filed to Judge Lloyd's Report and Recommendation, and the time  
6 to file objections has now expired. *See* Fed. R. Civ. P. 72(b)(2) (providing parties 14 days to file  
7 to object to a magistrate judge's report and recommendation).

8 Having reviewed the Report and Recommendation, as well as the record in this case, the  
9 Court finds that the Report and Recommendation is well-founded in fact and in law. The Court  
10 therefore ADOPTS the Report and Recommendation in its entirety. Accordingly, Plaintiff's  
11 motion for default judgment against Simon is GRANTED, and Simon, as Trustee of the Brita Van  
12 Horn Trust, is permanently enjoined from instituting or prosecuting any proceeding in any State,  
13 or United States, Court against Plaintiff with respect to life insurance policy number 2030250L.

14 **IT IS SO ORDERED.**

15 Dated: September 16, 2016.

16 

17 LUCY H. KOH  
18 United States District Judge